

REGULAR MEETING

April 9, 2001

The Regular Meeting of the Annapolis City Council was held on April 9, 2001 in the Council Chamber. Mayor Johnson called the meeting to order at 7:32 p.m.

Present on Roll Call: Mayor Johnson, Aldermen Hammond, Tolliver, Gilmer, Sachs, McMillan, Carter, Fox, Moyer

Staff Present: City Attorney Goetzke

Closed Session: *Pursuant to the requirement of Maryland Annotated Code, State Government Article Section 10-508(a)(7) and 10-508(a)(8) this statement is included in these minutes:*

A closed session of the City Council was held at 7:01p.m., Monday, April 9, 2001 in the City Council Chamber.

Present: Mayor Johnson, Aldermen Hammond, Tolliver, Gilmer, Sachs, McMillan, Carter, Fox , Moyer, City Attorney Goetzke, City Clerk Heinbuch

By unanimous consent of the members present, the session was closed. The authority under which the session was closed was Maryland Annotated Code, State Government Article, Section 10-508(a)(7) and 10-508(a)(8). The purpose of the meeting was to discuss NAACP Anne Arundel County Branch, Larry Griffin, Kenneth Dean, Jr., Parris Lane v. City of Annapolis, U.S. District Court, Case No. CCB-00-CV-771. No action was taken.

C Alderman Fox moved to adopt the agenda as presented. Seconded.

Without objection the agenda was amended by adding O-19-01 and postponing O-3-01, R-7-99, R-8-99. Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

C Alderman Sachs moved to approve the Journal of Proceedings of March 12, 2001 Special, March 12, 2001 Closed, March 12, 2001and March 19, 2001. Seconded. CARRIED on voice vote.

C Mayor Johnson gave the State of the City address and presented the FY 2002 Budget.

PETITIONS, REPORTS AND COMMUNICATIONS

1. Deborah Wood
1332 Swan Drive
Annapolis, MD 21401

Spoke in favor of O-19-01

2. Butler Smythe
79 Silopanna Road
Annapolis, MD 21403

Spoke in favor of O-19-01

3. Carol Lee
46 Boxwood Road
Annapolis, MD 21403

Spoke in favor of O-19-01

4. Angela H. Isaacs
34 Silopanna Road
Annapolis, MD 21403

Spoke in favor of R-11-01

5. Louise Beauregard Meyers
Christian Services USA
P.O. Box 604
Annapolis, MD 21404

Spoke regarding redistricting

6. James D. Vance
96 East Street
Annapolis, MD 21401

Spoke against O-14-01

7. Julie Stankivic
906 Primrose Road, Apt. 204
Annapolis, MD 21403

Spoke regarding stormwater management and against O-14-01

8. Arthur F. Greenbaum
7 Constitution Square
Annapolis, MD 21401

Spoke regarding City owned property at Brooke Avenue, Constitution Square and Amos Garrett Parkway

9. Barbara Samorajczyk
2525 Carrollton Road
Annapolis, MD 21403

Spoke regarding regionalism

LEGISLATIVE ACTION

CHARTER AMENDMENT

- CA-1-01 For the purpose of amending the Charter of the City of Annapolis, Article II, Sec. 4 by removing obsolete salary references from the Charter.

Alderman Hammond moved to adopt CA-1-01 on first reading. Seconded.
CARRIED on voice vote.

Referred to the Rules and City Government Committee

RESOLUTION

- R-7-99 2nd R. For the purpose of annexing certain property lying near Chesapeake Harbour Drive, contiguous to the existing boundary of the City of Annapolis.

Without objection, R-7-99 was postponed.

ORDINANCES

- O-3-01 For the purpose of establishing zoning classifications of R3, General Residence District and WMM, Waterfront Mixed Maritime District and Intensely Developed Area (IDA), Limited Development Area (LDA) and Resource Conservation Area (RCA) in the Critical Area Overlay zone for the property located on Chesapeake Harbour Drive off of Edgewood Road known as Chesapeake Harbour, contiguous to the existing boundary of the city of Annapolis; and all matters relating to said zoning map amendment.

Without objection, O-3-01 was postponed.

- O-11-01 For the purpose of authorizing a lease of certain municipal property located in the harbor and Dock Street areas to the Annapolis and Anne Arundel County Chamber of Commerce, Inc., a body corporate, for a certain period of time, subject to certain terms, provisions, and conditions, for the purpose of conducting maritime related festivities; and all matters relating to said lease.

Alderman Hammond moved to adopt O-11-01 on second reading. Seconded.

Alderman Tolliver moved to postpone O-11-01 to the end of this meeting. Seconded. CARRIED on voice vote.

- O-7-01 For the purpose of authorizing a lease of certain municipal property located in the Compromise Street, general harbor and Dock Street areas to Ocean Race Chesapeake, Inc., a body corporate, for a certain period of time in April 2002, subject to certain terms, provisions, and conditions, for the purpose of conducting sailboat race festivities; and all matters relating to said lease.

Alderman Gilmer moved to adopt O-7-01 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee

- O-9-01 For the purpose of approving and adopting an operating budget for the City of Annapolis for the fiscal year 2001-2002, beginning July 1, 2001 and ending June 30, 2002; to appropriate funds for expenditures for the fiscal year beginning July 1, 2001 and ending June 30, 2002; levying and imposing a real property tax rate for the Fiscal Year beginning July 1, 2001 and ending on June 30, 2002, for the purpose of defraying all expenses and liabilities of the City of Annapolis and levying same for the purposes specified; specifying certain duties of the Director of Finance, specifying a rate of interest to be charged upon overdue property taxes; and all matters generally relating to said budget and property tax rate.

Alderman Sachs moved to adopt O-9-01 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee

- O-13-01 For the purpose of amending the prohibition on parking certain trailers in certain areas for more than forty-eight hours; and matters generally relating to said prohibition.

Alderman Moyer moved to adopt O-13-01 on first reading. Seconded. CARRIED on voice vote.

Referred to the Public Safety Committee

- O-15-01 For the purpose of creating a Class G Alcoholic Beverage License for Annapolis Wine Festivals; and all matters related thereto.

Alderman Hammond moved to adopt O-15-01 on first reading. Seconded. CARRIED on voice vote. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee

- O-16-01 For the purpose of amending the Retirement Plan of the City of Annapolis for certain members of the Police and Fire Departments; and matters generally relating to said Retirement Plan.

Alderman Sachs moved to adopt O-16-01 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee

Referred to the Finance Committee

Referred to the Public Safety Committee

- O-17-01 For the purpose of amending the pay grades assigned to exempt service positions; revising the definition of the term "pay plan", revising the title of certain exempt service positions; deleting references to other exempt service titles; providing for the designation of the salary of the city administrator position; providing for procedures governing merit based increases for exempt service employees and all matters relating to exempt service positions.

Alderman Sachs moved to adopt O-17-01 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee

- O-18-01 For the purpose of specifying compensation and allowances to be paid to the Mayor and Aldermen for the terms of office commencing on the first Monday in December, 2001; and matters generally relating to said compensation.

Alderman Sachs moved to adopt O-18-01 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee

- O-19-01 For the purpose of authorizing the lease of a portion of the building located on certain City property known as 25 Silopanna Road to the Chesapeake Children's Museum, Inc., a nonprofit organization, for the purpose of locating the Children's Museum; and all matters relating to said lease.

Alderman Sachs moved to adopt O-19-01 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee

RESOLUTIONS

- R-36-00 For the purpose of adopting guidelines for waiving the provisions of § 6.04.210 of the City Code which require payment of full fees for the use of City facilities and services; and all matters relating to said waivers.

Alderman Hammond moved to adopt R-36-00 on second reading. Seconded.

CARRIED on voice vote.

- R-6-01 For the purpose of supporting the Annapolis Fire Department Strategic Plan and all matters related to said plan.

Alderman Moyer moved to adopt R-6-01 on second reading. Seconded. CARRIED on voice vote.

- R-8-99 For the purpose of exercising the City's right to receive monies paid into escrow under the terms of the 1984 Water Agreement between the City of Annapolis and Chesapeake Harbour, Inc.; and all matters relating to said monies.

Without objection, R-8-99 was postponed.

- R-9-01 For the purpose of approving the fee schedule pursuant to the adoption of the current expense budget for the City of Annapolis for the fiscal year 2001-2002, beginning July 1, 2001 and ending June 30, 2002; and all matters relating to said fee schedule.

Alderman Hammond moved to adopt R-9-01 on first reading. Seconded. CARRIED on voice vote.

- R-10-01 For the purpose of expressing the City's strong commitment to a renegotiated rate, under this sewerage service contract with the Federal Government, that is not lower than the rate paid by City residents in the over 35,000 gallons per quarter category, retroactive to March 13, 2000; requiring City Council approval of a renegotiated rate lower than that paid by residents in the over 35,000 gallons per quarter category, or one that is not paid retroactive to March 13, 2000; requiring monthly written reports on the status of negotiations; and all matters relating to said sewerage service.

Alderman McMillan moved to adopt R-10-01 on first reading. Seconded. CARRIED on voice vote.

- R-11-01 For the purpose of requesting the State of Maryland to conform its planning for the Weems Creek Bridge to a width not to exceed 66 feet and to postpone planning for garages impacting on the Rowe Boulevard corridor; and all matters relating to said request.

Alderman Hammond moved to adopt R-11-01 on first reading. Seconded. CARRIED on voice vote.

- R-12-01 For the purpose of adopting a revised pay plan for the City of Annapolis and assigning each position in the civil service (non-union) and the exempt service to a pay grade within the revised pay plan based upon recommendations set forth in the study conducted by Hendricks and Associates; and all matters relating to the proposed pay plan.

Alderman Sachs moved to adopt R-13-01 on first reading. Seconded. CARRIED on voice vote.

- R-13-01 For the purpose of adopting a capital improvement budget for the Fiscal Year 2002, and a capital improvement program for the six year period from July 1, 2001 to June 30, 2007; and all matters relating to said budget and program.

Alderman Sachs moved to adopt R-13-01 on first reading. Seconded. CARRIED

on voice vote.

- R-14-01 For the purpose of providing a 2% cost of living adjustment for certain retirees of the Annapolis City Police and Fire Departments; and all matters relating to said cost of living adjustment.

Alderman Hammond moved to adopt R-14-01 on first reading. Seconded. CARRIED on voice vote.

ORDINANCES

- O-11-01 For the purpose of authorizing a lease of certain municipal property located in the harbor and Dock Street areas to the Annapolis and Anne Arundel County Chamber of Commerce, Inc., a body corporate, for a certain period of time, subject to certain terms, provisions, and conditions, for the purpose of conducting maritime related festivities; and all matters relating to said lease.

Alderman Hammond moved to adopt O-11-01 on second reading. Seconded.

The Finance Committee reported favorably on O-11-01.

Alderman Sachs moved to amend O-11-01 as follows:

On Page1, line 23

strike “conducting maritime related festivities”; *add* “conducting a maritime heritage festival”

Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

Alderman Sachs moved to adopt O-11-01 amended on third reading. Seconded. CARRIED on voice vote.

BUSINESS AND MISCELLANEOUS

1. Civil Service Board Recommendations for Action dated March 23, 2001

Alderman Sachs moved to receive Civil Service Board Recommendations for Action dated March 23, 2001. Seconded. CARRIED on voice vote.

2. Housing and Community Development Committee Recommendations for Action dated March 30, 2001

Alderman Gilmer moved to approve the Housing and Community Development Committee Recommendations for Action dated March 30, 2001. Seconded. CARRIED on voice vote.

3. Finance Committee Recommendations for Action dated March 15, 2001

Without objection, CT-10-01 was heard as separate budget revision

Alderman Gilmer moved to adopt the Finance Committee Recommendations for Action dated March 15, 2001 without CT-10-01. Seconded. CARRIED on voice vote.

Alderman Tolliver moved to table consideration of CT-10-01 until the FY02 budget is considered. Seconded. CARRIED on voice vote.

4. Payment of Monthly Bills

Alderman Sachs moved to pay the monthly bills. Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 10:12 p.m.

Deborah Heinbuch, CMC/AAE
City Clerk